



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Monday, November 13, 2006 - 7:00 p.m. – Council Chambers

AGENDA ITEM NUMBER AND SUBJECT

- 1. Call to Order/Roll Call:** All present.
- 2. Invocation/Salute to the Flag:** Councilman Best/The audience participated.
- 3. Awards & Presentations:**
- 3A) Officer of the Month Award – Sergeant Jesus M. Rodriguez – September 2006**

Sergeant Jesus M. Rodriguez received the Office of the Month award for September 2006.

4. Open Forum:

- | | | |
|-------------------------|-----------------|--|
| • Christmas Decorations | Dona Kelley | Stated that it is too soon for the City to be putting up Christmas decorations before Thanksgiving. |
| • Parking on Lawns | Dona Kelley | Said that it had been several months since a resident complained about parking on lawns and she has seen no improvement in her neighborhood. |
| • Parking in Swale | Joseph Castillo | Presented photographs and complained that he has a problem with his neighbor parking in his swale |

4. Open Forum: (Continued)

- Band Booster Hortensia Machado Said that the Miami Springs Senior High School Band placed second in the last competition and would advance to the State competition next week.

- Leadership Miami Don May Was present on behalf Leadership Miami, a leadership mentoring program, to request permission to take a photograph with Council and for each Council member to sign an agenda.

5. Approval of Council Minutes:

5A) 10/23/2006 – Regular Meeting

Approved as written.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

5B) 11/01/2006 – Workshop Meeting

Approved as written.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

6. Reports from Boards & Commissions:

6A) 09/11/2006 – Board of Appeals – Minutes

6B) 10/18/2006 – Code Enforcement Board – Minutes

6C) 10/19/2006 – Historic Preservation Board – Minutes

6D) 10/24/2006 – Ecology Board – Minutes

6E) 10/26/2006 – Code Review Board – Cancellation Notice

6F) 11/07/2006 – Code Enforcement Board – Cancellation Notice

6. Reports from Boards & Commissions: (Continued)

6G) 11/06/2006 – Zoning and Planning Board – Cancellation Notice

6H) 10/11/2006 – Golf and Country Club Advisory Board – Minutes

6I) 10/10/2006 – Recreation Commission – Minutes

6J) 11/09/2006 – Board of Parks and Parkways – Cancellation Notice

Agenda Items 6A through 6J were received for information without comment.

6K) 11/06/2006 – Board of Adjustment – Approval of Actions Taken at their Meeting of November 6, 2006

The actions of the Board of Adjustment were **approved** subject to the 10-day appeal period.

Motion: Councilman Best

Second: Councilman Garcia

Vote: 5-0

7. Public Hearings: None

8. Consent Agenda: (8A through 8C approved with one motion)

8A) Approval of the City Attorney's Invoice for October 2006 in the Amount of \$9,850.50

Approved.

Motion: Councilman Garcia

Second: Councilman Dotson

Vote: 5-0

8B) Recommendation that Council Approve an Expenditure of \$2,675.00 to the Golden Hawks Band Booster, Inc., the Sole Source Supplier, as Provided in Section 31.11 (E) (6) (c) of the City Code, to be Paid from the Law Enforcement Trust Fund, to Provide Transportation to Tampa for the Miami Springs Senior High School Marching Band

Approved.

Motion: Councilman Garcia

Second: Councilman Dotson

Vote: 5-0

8C) Recommendation that Council Approve an Expenditure in the Amount of \$12,378.00 to Beck Auto Sales, Inc. for the Purchase of an Electric Vehicle, as Provided in Section 31.11 (E) (5) of the City Code, to be Paid from the Law Enforcement Trust Fund, to be Used for Special Events in the City

Approved.

Motion: Councilman Garcia

Second: Councilman Dotson

Vote: 5-0

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor's seat)

Mayor Bain **deferred** his appointment

9B) Appointment to the Ecology Board by Vice Mayor Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson

Vice Mayor Youngs (Group II) **deferred** his appointment

9C) Appointment to the Code Enforcement Board by Councilman Best (Group I) for a Full 3-year Term Ending on September 30, 2009 (Marlene B. Jimenez' seat)

Councilman Best (Group I) **re-appointed** Marlene B. Jimenez.

9D) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Enacting New Code of Ordinance Section 150-028, Architectural and Design Regulations; Providing Intent; Describing Future Expansion Policy; Establishing Individual Sections for Architectural and Design Policies, Standards, Regulations, and Guidelines; Providing Directions to Codifiers; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (Garage door prohibition; façade designs and color palette adopted)

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Garcia

Vote: 5-0

9E) Appointment to the Architectural Review Board by Mayor Bain for a Full 2-year Term Ending on October 31, 2008 (Kathy Fleischman's seat)

Mayor Bain **re-appointed** Kathy Fleischman.

9F) Appointment to the Architectural Review Board by Councilman Best (Group I) for a Full 2-year Term Ending on October 31, 2008 (Rafael Alpízar's seat)

Councilman Best (Group I) **re-appointed** Rafael Alpízar.

9G) Appointment to the Architectural Review Board by Councilman Dotson (Group II) for a Full 2-year Term Ending on October 31, 2008 (Chris Caudle's seat)

Councilman Dotson (Group II) **appointed** Raul Sora (?) 174 Lenape

9H) Discussion Regarding Report of Examination of Sub-surface Conditions on Plover Avenue

Council **directed** the Administration to notify the Post, Buckley, Schuh and Jernigan, Inc., the Project Administrator, to contact Petro Hydro about funding the cost of the test to examine the subsurface conditions on Plover Avenue from the \$92,000 retainer.

9I) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-041, R-1A District, to Provide New Building Height Limitations and Side Yard Requirements for two-story Structures; Code of Ordinance Sections 150.042, R-1B District; 150.043, R-1C District, and 150-044, R-1D District, to Provide New Building Height Limitations, Lot Coverage Restrictions, and Side Yard Requirements for two-story Structures; Repealing all Ordinances or Parts of Ordinances in Conflict; Directing Codification, Providing an Effective Date

Re-schedule second first reading for November 28, 2006 Council meeting.

9J) Resolution – A Resolution of the City Council of the City of Miami Springs, Florida, Determining the Necessity and Appropriateness of the Acquisition of Equipment Pursuant to a Master Lease with SunTrust Leasing Corporation; Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 02 and Escrow Agreement, and Related Instruments; Authorizing the City Manager and Other Authorized City Officers to Execute the Lease Documentation, Evidence the Validity of the Lease Documents, and Affix the City Seal where Required; Directing the Execution of any Additional Lease Documentation by the Proper Officials and Officers of the City in Order to Effectuate the Subject Transaction; Declaration of Transaction Compliance with Internal Revenue Service Regulations; Effective Date

Adopted (Resolution No. 2006-3338)

Motion: Councilman Dotson

Second: Councilman Best

Vote: 5-0

9K) Discussion Regarding Parking in the Swale Areas

City Attorney to draft an Ordinance.

9L) Discussion Regarding the Evaluation and Appraisal Report (E.A.R.) and Consideration of Options for the Airport, Marine, Highway District

City Planner Richard E. Ventura and Michele Glenn of the Florida International University Metropolitan Center reported on the latest comments from the State and the actions necessary to resolve the State's concerns regarding the E.A.R.

Discussion on the Airport, Marine, Highway District was **tabled**.

10. New Business:

10A) Appointment to the Code Review Board by Councilman Dotson (Group II) to Fill an Unexpired Term Ending on April 30, 2008 Created by the Resignation of Daniel Espino

Councilman Dotson (Group II) **deferred** his appointment.

10B) Confirmation, as a Ministerial Duty, per City Code §35.56 (A) (3) of Police Officer Jonathan Kahn as the Fifth Member of the Police Officers and Firefighters' Retirement System, Chosen Unanimously by the Other Board Members at their Meeting of November 2, 2006

Item pulled.

10C) Resolution – A Resolution of the City Council of the City of Miami Springs Canvassing Returns of the Special Election of November 7, 2006, and Declaring Results Thereof

Adopted (Resolution No. 2006-3339)

Motion: Councilman Dotson

Second: Vice Mayor Youngs

Vote: 5-0

10D) Recommendation that Council Approve Budget Transfers Between General Classifications of Expenditures Within a City Department, as Provided for in Section 9.04 (1) of the City Charter

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

10E) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-013, Fences, Landscaping, and Boundary Walls; by Establishing New Code Section 150-013, Residential Plantings, Fences, and Walls; Providing for Planting Provisions, Restrictions and Limitations; Delineating Fence and Wall Installation and Construction Provisions, Restrictions and Exclusions; Specifying Fence and Wall Materials and Locations; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

Approved.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

10F) Appointment to the Code Enforcement Board by Councilman Dotson (Group II) to Fill an Unexpired Term Ending on September 30, 2008, Created by Absence (John Bankston's seat)

Councilman Dotson (Group II) **deferred** his appointment.

10G) Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing the City to Apply for a Matching Grant for the Police Department from the Fiscal Year 2007 Byrne Memorial Grant Program; Approving and Authorizing the Use of \$1,088.00 from the Law Enforcement Trust Fund to Fund the Required Grant Match Amount; Authorizing the Proper Officials and Officers of the City and the Police Department to Execute All Required Grant Documentation; Effective Date

Adopted (Resolution No. 2006-3340)

Motion: Councilman Best

Second: Councilman Dotson

Vote: 5-0

10H) Recommendation that Council Approve an Expenditure of \$89,065.00 (\$46,962.00 to Duval Ford, Inc.; \$22,990.00 to Beck Auto Sales, Inc.; \$19,113.00 to Hill Kelly Dodge Jeep) for the Purchase of Two 2007 Ford Crown Victorias and Two Dodge Chargers for the Annual Scheduled Replacement of the Police Department's Automobile Fleet, as Provided in Section 31.11 (E) (5) of the City Code, Utilizing the Florida Sheriffs Association Bid Award # 06-14-0821

Approved.

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0

10I) Request that Council Approve Payment of \$53,661.06 in Taxes and Penalties to the Internal Revenue Service for the Employment Tax Audit Covering Calendar Years 2002, 2003, and 2004

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

10J) Appointment to the Board of Adjustment/Zoning and Planning Board by Councilman Dotson (Group II) to Fill an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Jesse Thrash

Councilman Dotson (Group II) **appointed** Daniel Espino.

11. Other Business:

11A) Status Report of City Monuments to Honor those who Have Served on City Boards

Council **received** status report on City monuments.

Council **directed** the Memorial Committee to meet to discuss a memorial for former Parks and Recreation Director Ray Stoltz.

12. Reports & Recommendations:

12A) City Attorney: No report.

12B) City Manager

- **Pool Electric**

Reported the pool was shut down due to an electrical situation after someone was severely shocked. A meeting is scheduled with an electrical engineer tomorrow to determine what happened.
- **Motorcycle Accident**

Stated that a Virginia Gardens' resident had a fatal motorcycle accident after crashing into a Miami Springs' resident who was turning into a driveway.
- **Alligator**

Reported that an alligator was found under a house on Plover Avenue and had been removed per the owner.

12B) City Manager (Continued)

- **Street Dedication**

Reminded everyone of the street dedication in honor of the late Alex Bromir on Sunday, November 19, 2006 at 2:00 p.m. at the High High School
- **Council Meeting Re-scheduled**

Reminded everyone that the November 28, 2006 Regular Council Meeting was rescheduled to Tuesday, November 28th at 7:00 p.m.
- **Flu Shots**

Announced that the County Health Department would provide flu shots to persons over the age of 65 on Friday, November 17, 2006 at the Recreation Center and the event is co-sponsored by County Commissioner Rebeca Sosa.

12C) City Council

Councilman Garcia:

- **Clean-up**

Thanked the City Manager for expediting the cleaning of the breeze way between two buildings in the business district.
- **Letter to Businesses**

Would like the Administration to send a letter to businesses to encourage parking in the rear of the buildings.
- **Dade League Dinner**

Reminded Council that the next Miami-Dade County League of Cities Dinner meeting would held at the Miami Springs Golf and Country Club on Thursday, December 7, 2006.

Mayor Bain said that the Village of Virginia Gardens is co-sponsoring the dinner and he would contact Miami-Dade County Aviation Director Jose Abreu about being the guest speaker.

12C) City Council (Continued)

Vice Mayor Youngs:

- **Thank You**

Thanked Council for another good meeting.

Councilman Dotson:

- **Financial Report**

Requested the Fourth Quarter Financial Report.

Finance Director Alonso informed Council that he would present the report at the November 28, 2006 Council Meeting.

- **Tennis Survey**

Reported that the tennis survey indicates that 85% of the people who responded want the courts to remain at the same location.

Councilman Best:

- **Home Rule Charter Council**

Announced that he would attend the final session of the Florida League of Cities Home Rule Charter Council in Orlando on Thursday, November 16, 2006

- **Thank You**

Thanked Vice Mayor Youngs for his research on the swale issue.

- **Street Dedication**

Urged everyone to attend the street dedication in memory of Alex Bromir on Sunday.

Mayor Bain:

- **Street Dedication**

Announced that an e-mail was circulated to inform everyone of the street dedication on Sunday at 2:00 p.m. when the entire Bromir family will be present.

13. Adjourn

Meeting adjourned at 10:46 p.m.